

Introduced by: McGahan
Date: Dec. 15, 1981 w/drawn
Hearing: ~~Jan-19,-1982~~
Vote:
Action: Failed to be set for Hearing 2-2
Reconsideration 2-16-82 NOT RECONSIDERED

KENAI PENINSULA BOROUGH

ORDINANCE 81-134

AMENDING SECTION 16.08.020 AND SECTION 16.08.030 OF THE BOROUGH CODE OF ORDINANCE TO PROVIDE FOR AN ELECTED BOARD FOR THE CENTRAL PENINSULA HOSPITAL SERVICE AREA, AND AMENDING SECTION 16.08.040 RELATING TO MINUTES OF THE BOARD'S MEETINGS, AND ENACTING SECTION 16.08.050 AND SECTION 16.08.060 PERTAINING TO VACANCIES ON THE BOARD.

WHEREAS, several service areas have been established within the Borough; and

WHEREAS, every service area except the Central Peninsula Hospital Service Area has an elected board of directors; and

WHEREAS, the Borough Code of ordinances currently provides for the appointment by the Mayor of all members of the Board of Directors of the Central Peninsula Hospital Service Area, subject to approval by the Assembly; and

WHEREAS, it is desirable that the board of directors of every service area providing a service and levying taxes be directly accountable to the voters;

NOW THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

Section 1. That Section 16.08.020 of the Borough Code is amended to read:

16.08.020 Board--Established--Membership. There is established a hospital board for the Central Kenai Peninsula Hospital Service Area composed of nine (9) members who shall be [NOMINATED BY THE BOROUGH MAYOR AND APPOINTED BY THE ASSEMBLY] elected at-large among the residents of the Central Peninsula Hospital Service Area. Each seat shall be designated alphabetically and all the expired terms and vacancies on the board shall be filled at the next regular Borough election. Members serving on the board as of January 1, 1982, shall continue to serve to the end of their terms, after which the seat shall be filled by election at the next regular or special election. The board shall meet periodically at a regularly scheduled time and place established by the board.

Section 2. That Section 16.08.030 of the Borough Code is amended to read:

16.08.030 Board--Qualifications--Terms of office--Vacancy filling. Members of the hospital board shall be qualified voters of the B[B]orough who are residents of the service area. [MEMBERS SHALL BE APPOINTED FOR A TERM OF 3 YEARS, EXCEPT THAT THE FIRST BOARD SHALL CONTAIN MEMBERS APPOINTED FOR LESSER PERIODS TO PROVIDE FOR STAGGERED TERMS.] Vacancies on the board shall be created and shall be declared by the A[A]ssembly in accordance with AS 29.23.570.

Section 3. That Section 16.08.040 of the Borough Code is amended to read:

16.08.040 Board--Powers and duties. The hospital board shall advise the M[M]ayor and A[A]ssembly concerning the administration and operation of the service area, review the annual budget and make recommendation and perform such additional functions as the A[A]ssembly may direct. The service area shall promptly furnish accurate and complete copies of minutes of all board meetings to the Mayor and Assembly.

Section 4. That Section 16.08.050 is enacted to read:

16.08.050 Board--Vacancies--Created when. Vacancies on the board are created upon declaration of vacancy by the board if a member:

- A. Fails to qualify to take office within 30 days after his election or appointment;
- B. Is physically absent from the service area for a 90-day period, unless excused by the board;
- C. Resigns and his resignation is accepted;
- D. Is physically or mentally unable to perform the duties of his office;
- E. Is removed from office;
- F. Misses 3 consecutive regular meetings unless excused; or

G. Is convicted of a felony or of an offense involving a violation of his oath of office.

Section 5. That Section 16.08.060 is enacted to read:

16.08.060 Board--Vacancies--Filling. Vacancies on the board shall be filled by majority vote of the remaining board until the next general election of the Borough at which a new member shall be elected to fill the unexpired term or for a 3 year term if no unexpired term remains.

Section 6. That this ordinance takes effect immediately upon its enactment.

~~ENACTED~~ ^{DEFEATED} BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH ON THIS 2nd DAY OF February, 1982.



John S. Davis, Assembly President

ATTEST:

Borough Clerk